

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

CANDY FACTORY CONDOMINIUM  
OWNERS ASSOCIATION, INC.,

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Plaintiff,

\*

VS.

Case No. \_\_\_\_\_

THE HARFORD MUTUAL INSURANCE  
COMPANY, [Correct name of insurer:  
FIRST LINE NATIONAL INSURANCE  
COMPANY]

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Defendant.

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NOTICE OF REMOVAL

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The above-named Defendant, The Harford Mutual Insurance Company (correct name of insurer: First Line National Insurance Company), hereinafter “Defendant,” pursuant to 28 U.S.C. § 1441, *et seq.*, for its Notice of Removal of the action instituted by the above-named Plaintiff against it as Defendant, shows unto the Court:

1. Plaintiff, Candy Factory Condominium Owners Association, Inc., is a not-for-profit corporation organized and existing pursuant to the laws of the State of Tennessee and is a condominium owners association, and so pleads in its Complaint.
2. Defendant, The Harford Mutual Insurance Company, at all times pertinent to this cause of action, was a foreign corporation doing business in the State of Tennessee. Defendant Harford is

incorporated under the laws of the State of Maryland with its corporate headquarters and principle place of business located at 200 North Main Street, Bel Air, Maryland. Defendant First Line National Insurance Company is a foreign corporation qualified to do business in the State of Tennessee and is a subsidiary of The Harford Insurance Companies. Defendants were not on April 27, 2011, or any time before or after said date, up to and include the date this action was filed in the Chancery Court for Knox County, Tennessee, on October 20, 2011, or on the date of the filing of this Notice of Removal, incorporated under the corporate statutes or other applicable law of the State of Tennessee, and have not at any time prior to or subsequent to April 27, 2011, up to and including the date of the filing of this Notice of Removal, had its principle place of business in Tennessee, or at any place other than Bel Air, Maryland.

3 The citizenship of the respective parties was the same as herein alleged at the time of the commencement of this action in the Chancery Court for Knox County at Knoxville, Tennessee, and on the date of the filing of this Notice of Removal.

4. On October 20, 2011, Plaintiff instituted an action against Defendant in the Chancery Court for Knox County at Knoxville, Tennessee, by filing in said Court a Summons for the said Defendant and, as the initial pleading, a Complaint requesting that the Court find Defendant liable for property damage resulting from a hail storm on April 27, 2011. Plaintiff seeks from Defendant all amounts required to cover its claims for damages allegedly related to the hail storm. In its suit papers, Plaintiff also seeks the 25 percent Statutory Bad Faith Penalty.

5. The Summons and Complaint issuing from the Clerk's Office of the Chancery Court for Knox County at Knoxville, Tennessee was served upon Defendant on October 28, 2011 through the Tennessee Department of Commerce and Insurance.

6. Less than thirty (30) days have transpired since notice was received by Defendant's counsel, up to and including the date of the filing of this Notice of Removal.

7. Defendant files with this Notice of Removal, marked for identification as "Collective Exhibit 1," an exact and complete copy of the Complaint and all papers served upon it.

8. The amount in controversy in said action herein referred to exceeds to sum of Seventy-five Thousand Dollars (\$75,000), exclusive of interest and costs.

**WHEREFORE**, Defendant prays that this Court accept this Notice of Removal and proceed with this action in accordance with the law.

**THE HARFORD MUTUAL INSURANCE  
COMPANY and THE FIRSTLINE NATIONAL  
INSURANCE COMPANY**

By: *S. Morris Hadden*  
S. Morris Hadden (BPR #000747)  
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